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*Attorneys for Irving H. Picard, Trustee  
for the Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities LLC  
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

HSBC BANK PLC, *et. al.*,

Defendants.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

Adv. Pro. No. 09-01364 (SMB)

**NOTICE OF VOLUNTARY DISMISSAL OF CERTAIN CLAIMS  
WITH PREJUDICE AS TO DEFENDANT LAGOON INVESTMENT TRUST**

Pursuant to Rule 7041 of the Federal Rules of Bankruptcy Procedure and Rule 41 of the Federal Rules of Civil Procedure, Plaintiff Irving H. Picard, as trustee for liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa–III, and the substantively consolidated estate of Bernard L.

Madoff individually, by and through his counsel Baker & Hostetler LLP, hereby dismisses with prejudice certain claims as to defendant Lagoon Investment Trust in the above-captioned adversary proceeding. Fed. R. Civ. P. 41(a)(1)(A)(i) permits the Trustee to voluntarily dismiss certain claims in this adversary proceeding without further order of the Court by filing this Notice of Dismissal. As of the date hereof, Lagoon Investment Trust has not served an answer or a motion for summary judgment.

Upon entry of this notice, the caption of this adversary proceeding is hereby amended to delete Lagoon Investment Trust. The caption is also hereby amended to delete the following defendants previously dismissed from this adversary proceeding:

- (1) UniCredit S.p.A.
- (2) Pioneer Alternative Investment Management Limited
- (3) Equus Asset Management Partners L.P.
- (4) Genevalor, Benbassat et Cie
- (5) Cape Investment Advisors Limited
- (6) Aurelia Fund Management Limited
- (7) Aurelia Asset Management Partners
- (8) Alberto Benbassat
- (9) Stephane Benbassat
- (10) the Estate of Mario Benbassat
- (11) Robert Nespolo
- (12) David T. Smith
- (13) Laurent Mathysen-Gerst
- (14) Vladimir Stepczynski
- (15) Jean-Marc Wenger
- (16) Pascal Cattaneo
- (17) Olivier Ador
- (18) UniCredit Bank Austria AG
- (19) T+M Trusteeship & Management Services S.A.
- (20) GTM Management Services Corp. N.V.
- (21) Herald (Lux) SICAV
- (22) Herald Fund SPC
- (23) Primeo Fund
- (24) Senator Fund SPC
- (25) Hermes Asset Management Limited
- (26) Thema Asset Management (Bermuda) Ltd.

- (27) Hermes International Fund Limited
- (28) Lagoon Investment Limited
- (29) Thema Wise Investments Limited
- (30) Thema Fund Limited

An amended caption is attached hereto as Exhibit A.

Dated: August 15, 2017  
New York, New York

BAKER & HOSTETLER LLP

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Liquidation of Bernard L. Madoff  
Investment Securities LLC and the  
Estate of Bernard L. Madoff*

# EXHIBIT A

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

<p>SECURITIES INVESTOR PROTECTION CORPORATION,</p> <p style="text-align: center;">Plaintiff-Applicant,</p> <p>v.</p> <p>BERNARD L. MADOFF INVESTMENT SECURITIES LLC,</p> <p style="text-align: center;">Defendant.</p>	<p>Bankruptcy Case No. 08-01789 (SMB)</p> <p>SIPA LIQUIDATION</p> <p>(Substantively Consolidated)</p>
<p>In re:</p> <p>BERNARD L. MADOFF,</p> <p style="text-align: center;">Debtor.</p>	
<p>IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>HSBC BANK PLC; HSBC HOLDINGS PLC; HSBC SECURITIES SERVICES (LUXEMBOURG) S.A.; HSBC INSTITUTIONAL TRUST SERVICES (IRELAND) LIMITED; HSBC SECURITIES SERVICES (IRELAND) LIMITED; HSBC INSTITUTIONAL TRUST SERVICES (BERMUDA) LIMITED; HSBC BANK USA, N.A.; HSBC SECURITIES SERVICES (BERMUDA) LIMITED; HSBC BANK (CAYMAN) LIMITED; HSBC PRIVATE BANKING HOLDINGS (SUISSE) S.A.; HSBC PRIVATE BANK (SUISSE) S.A.; HSBC FUND SERVICES (LUXEMBOURG) S.A.; HSBC BANK BERMUDA LIMITED; ALPHA PRIME FUND LIMITED; THEMA INTERNATIONAL FUND PLC; GEO CURRENCIES LTD. S.A.; HERALD ASSET MANAGEMENT LIMITED; 20:20 MEDICI AG; BA WORLDWIDE FUND MANAGEMENT LIMITED; EUROVALEUR, INC.; ALPHA PRIME ASSET MANAGEMENT LTD.; REGULUS ASSET MANAGEMENT LIMITED;</p>	<p>Adv. Pro. No. 09-01364 (SMB)</p>

CARRUBA ASSET MANAGEMENT LIMITED;  
THEMA ASSET MANAGEMENT LTD.; EQUUS  
ASSET MANAGEMENT LTD.; URSULA RADEL-  
LESZCZYNSKI; SONJA KOHN; ERWIN KOHN;  
INTER ASSET MANAGEMENT, INC.; AND TEREIO  
TRUST COMPANY LIMITED,

Defendants.